
A BILL FOR AN ACT

RELATING TO CORRECTIONAL FACILITIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that there have been a
2 number of recent proposals to provide for a privatized
3 correctional facilities in the State, including having a private
4 contractor both construct and manage a private prison. The
5 legislature, however, finds that the construction and management
6 of a prison is a function that should be retained by state and
7 county government, not the private sector. The number of
8 security breaches at privately-run prisons in the continental
9 United States has demonstrated that public safety should remain
10 a government function, and not delegated to private vendors.

11 Moreover, the legislature finds that the construction and
12 management of a correctional facility in Hawaii is a function
13 that the State should already be performing. A publicly
14 constructed correctional facility that is run by public
15 employees would keep jobs in the State, reduce the State's
16 overcrowded prison situation, and stop the transfer of inmates
17 to correctional facilities on the mainland.



1 Accordingly, the purpose of this Act is to require the
2 department of accounting and general services to design,
3 construct, and maintain a public prison to be managed by public
4 employees and to authorize the issuance of general obligation
5 bonds and make an appropriation for this purpose.

6 SECTION 2. The department of accounting and general
7 services shall design, construct, and maintain a public
8 correctional facility to be managed by public employees,
9 provided that the correctional facility shall be designed and
10 operated as an intensive treatment facility. The facility shall
11 specialize in treating those inmates in need of substance abuse
12 treatment in a therapeutic community. According to each
13 inmate's needs, the facility shall also provide a wide array of
14 culturally and gender appropriate programs, mental health
15 services, group counseling, anger management programs,
16 transitional programs, cognitive restructuring, remedial
17 education, and vocational training.

18 SECTION 3. The department shall adopt rules pursuant to
19 chapter 91 that specify minimum applicable standards for the
20 siting, construction, operation, and physical condition of a
21 public correctional facility and for the security, safety,
22 health, treatment, and discipline of persons confined in that



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1 facility; provided that the rules shall conform to applicable
 2 American Correctional Association and National Commission on
 3 Correctional Health Care standards for the facility.

4 SECTION 4. The director of finance is authorized to issue
 5 general obligation bonds in the sum of \$, or so much
 6 thereof as may be necessary, and the same sum, or so much
 7 thereof as may be necessary, is appropriated for fiscal year
 8 2006-2007, for the purpose of designing and constructing a
 9 public correctional facility in the State to be managed by
 10 public employees for the purposes of this Act.

11 SECTION 5. The appropriation made for the capital
 12 improvement project authorized by this Act shall not lapse at
 13 the end of the fiscal biennium for which the appropriation is
 14 made; provided that all moneys from the appropriation
 15 unencumbered as of June 30, 2008, shall lapse as of that date.

16 SECTION 6. The sum appropriated shall be expended by the
 17 department of accounting and general services for the purposes
 18 of this Act.

19 SECTION 7. This Act shall take effect on July 1, 2006.
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INTRODUCED BY:

[Handwritten signatures]
 Peter T. Adams
 Marilyn B. Lee
 John R. Krampton
 [Signature]
 [Signature]

Report Title:

Prisons; Publicly Built Prisons

Description:

Requires the department of accounting and general services to design, construct, and maintain a public prison to be run by public employees. Authorizes the issuance of general obligation bonds and makes an appropriation for this purpose.

